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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,880	01/30/2001	Hiroshi Hagane	Q62767	2676

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SUGHRUE, MION, ZINN, MACPEAK & SEAS
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037

EXAMINER

CHAN, RICHARD

ART UNIT	PAPER NUMBER
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2618

MAIL DATE	DELIVERY MODE
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01/29/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/771,880	Applicant(s) HAGANE, HIROSHI	
	Examiner RICHARD CHAN	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10, 13-17 and 19 is/are allowed.
- 6) ☒ Claim(s) 12, 18, and 20-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see arguments filed 09/05/07, with respect to the rejection(s) of claim(s) 12, 18, and 20-36 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Lau (US 6,850,766).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 12, 18 and 20-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (European Patent Application # 859,500) in view Appelt et al (US 2003/0078766) in view of Roeseler et al (US 6,317,684)

Regarding claims 12 and 18, Chen teaches radio means for performing radio communication with a base station to which the center is connected (Figure 1 and column 3, line 53- column 4, line 6); speech communication means for

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inputting/outputting a speech signal between said speaker and said microphone by performing speech communication with said center (column 2, lines 29 -38 and column 4, lines 54 - 58); communication control means for switching speech communication by said speech communication means and packet communication by said packet communication means (column 5, lines 23 - 35) and Chen further teach of packet communication means for outputting at least one of image information and character information to said display screen by performing packet communication with the center (Chen: column 5, lines 14 -35).

Chen teaches all of the above limitations but fails to specifically disclose execution of information search using the text communication with the center. However, in the related search art, Appelt teaches a recognition engine adapted to convert user speech to the natural language query and a text to speech engine adapted to convert the result of the search to speech recognition of spoken language (§§ 0014 and 0097).

The Roeseler reference Fig.5 teaches a call process wherein the user can get a text description of the driving descriptions during a phone call step 530. (Col.8 line 30-45)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Appelt text to speech searching methods and the simultaneous texting during a speech operation of Roeseler with Chen's existing searching method in order to allow Chen to utilize the speech communication to do a text search and therefore reduce system resources by only utilizing one communication.

Regarding claims 20, 22, 24, 27, 29, 30, 32 and 34, Chen teaches a system, comprising a center having a speech communication and text communication function; and a portable terminal wherein said portable terminal comprises sending means for sending a speech signal to said center by said speech communication during execution of said text communication with said center; and wherein said center comprises: receiving means for receiving said speech signal (column 2, lines 29 - 38 and column 4, lines 54 - 58); searching means for searching for information based on said speech signal; and sending means for sending said information to said portable terminal by said text communication (Chen: column 5, lines 14 -35).

Chen teaches all of the above limitations but fails to specifically disclose execution of information search using the text communication with the center. However, in the related search art, Appelt teaches a speech recognition engine adapted to convert user speech to the natural language query and a text to speech engine adapted to convert the result of the search to speech recognition of spoken language (§ 0014 and 0097).

The Roeseler reference Fig.5 teaches a call process wherein the user can get a text description of the driving descriptions during a phone call 530. (Col.8 line 30-45)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Appelt text to speech searching methods and the simultaneous texting during a speech operation of Lau with Chen's existing searching method in order to allow Chen to utilize the speech communication to do a text search and therefore reduce system resources by only utilizing one communication.

Regarding claims 21, 23, 25, 28, 33 and 35, Chen teaches said text communication is performed by packet communication (Chen: Figure 2 and "column 4, lines 44 - 58).

Regarding claims 26, 31 and 36, Chen teaches display means (Chen: column 5, line 14- 25).

Allowable Subject Matter

4. Claims 1-10 and 13-17 and 19 are allowed.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD CHAN whose telephone number is (571)272-0570. The examiner can normally be reached on Mon - Fri (9AM - 5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571)272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Richard Chan/
Examiner, Art Unit 2618

/Nay A. Maung/
Supervisory Patent Examiner, Art
Unit 2618